

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

GRACIELA GALINDO, JESUS GALINDO  
Sr., EDITH GALINDO, individually and  
as Next Friend of MARGARITA GALINDO,  
and as Representative of the ESTATE OF  
JESUS MANUEL GALINDO; ERICA  
LOZANO, as Next Friend of JOHNATHAN  
GALINDO and JACOB GALINDO; and  
JANNETTE FLORES ESTRADA, As Next  
Friend of LESLIE ESTRADA,

Plaintiffs,

v.

Cause No. 10-CV-454-DB-NJG.

REEVES COUNTY TEXAS; THE GEO  
GROUP, INC.; PHYSICIANS NETWORK  
ASSOCIATION; And in their individual  
capacities: VERNON FARTHING, M.D.,  
WALTER BRADY, D.O.; RICHARD FEARS,  
P.A.; JAMES FITCH; LOU ANN MILLSAP,  
R.N.; FNU BULLOCK; Warden DWIGHT  
SIMS; Capt. CHAD DEVIVO; Lt. KENNETH  
MARTIN; JAMES BURRELL, Federal  
Bureau of Prisons (BOP) Privatization  
Management Branch Administrator;  
MATTHEW NACE, Chief, BOP Acquisitions  
Branch; EDUARDO DE JESUS, M.D., BOP  
Medical Auditor; and DONNA GRUBE, BOP  
Contracting Officer,

Defendants.

**UNOPPOSED MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR  
PLAINTIFFS**

Lisa Graybill and Mark Whitburn, counsel for Plaintiffs in the above-captioned

proceeding, respectfully move the Court for leave to withdraw as counsel pursuant to Local Rule AT-3. In support of this Motion, counsel state as follows:

1. Lisa Graybill and Mark Whitburn, attorneys at the ACLU Foundation of Texas, are currently two of several counsel of record for Plaintiffs in the above-captioned proceeding.
2. The revised claim configuration reflected in the status report filed with this Court on September 7, 2011, does not require the participation of the ACLU Foundation of Texas for thorough and appropriate prosecution.
3. Consequently, resource limitations mandate the withdrawal of ACLU Foundation of Texas attorneys Lisa Graybill and Mark Whitburn from the above-captioned proceeding.
4. If Lisa Graybill and Mark Whitburn withdraw as counsel, the following counsel of record will continue to represent Plaintiffs in this proceeding:

Leon Schydlower  
210 North Campbell Street  
El Paso, Texas 79901

Miguel Angel Torres  
210 North Campbell Street  
El Paso, Texas 79901

Cara A. Hendrickson  
Hughes Socol Piers Resnick & Dym Ltd.  
70 W. Madison, Suite 4000  
Chicago, Illinois 60602

Jose J. Behar  
Hughes Socol Piers Resnick & Dym Ltd.  
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Matthew J. Piers  
Hughes Socol Piers Resnick & Dym Ltd.  
70 W. Madison, Suite 4000  
Chicago, Illinois 60602

Mary M. Rowland

Hughes Socol Piers Resnick & Dym Ltd.  
70 W. Madison, Suite 4000  
Chicago, Illinois 60602

3. Plaintiffs in the above-captioned proceeding have been advised of the relief requested in this Motion and have given their approval.

4. Co-counsel of record for the Plaintiffs in the above-captioned proceeding have been advised of the relief requested in this Motion.

5. Lisa Graybill and Mark Whitburn submit that the co-counsel of record referenced above will represent Plaintiffs adequately in this ongoing litigation, such that Plaintiffs will suffer no prejudice if this Court grants the relief requested in this Motion.

7. On the 3rd and 4th days of October, 2011, the undersigned counsel of record for the Plaintiffs and/or Lisa Graybill conferred with counsel of record for the Defendants concerning the relief sought in this Motion and were advised that counsel of record for the Defendants did not oppose this Motion.

8. Pursuant to Local Rule CV-7(f), a proposed order is included for the Court's consideration.

WHEREFORE, the undersigned respectfully request that the Court enter an Order granting Lisa Graybill and Mark Whitburn leave to withdraw as counsel of record for Plaintiffs in the above-captioned proceeding.

DATED: October 12, 2011

Respectfully Submitted,



Lisa Graybill  
State Bar No. 24054454  
Mark Whitburn  
State Bar No. 24042144  
ACLU Foundation of Texas  
P.O. Box 12905  
Austin, Texas 78711  
T: (512) 478-7300  
F: (512) 478-7303  
Email: [lgraybill@aclutx.org](mailto:lgraybill@aclutx.org)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument has been served upon all counsel of record via the CM/ECF System on this 12th day of October, 2011.

  
Mark Whitburn



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Medical Auditor; and DONNA GRUBE, BOP  
Contracting Officer,**

**Defendants.**

**PROPOSED ORDER GRANTING UNOPPOSED MOTION FOR LEAVE TO  
WITHDRAW AS COUNSEL FOR PLAINTIFFS**

Before this Court is the unopposed motion of Lisa Graybill and Mark Whitburn, attorneys

for the ACLU Foundation of Texas, seeking leave to withdrawal as counsel for Plaintiffs in the above-captioned proceeding. The Court finds that the Motion is meritorious and that it should be granted.

IT IS THEREFORE ORDERED that Lisa Graybill and Mark Whitburn are hereby granted leave to withdraw as counsel for Plaintiffs in the above-captioned proceeding.

SIGNED AND ENTERED this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

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JUDGE PRESIDING